IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

WP(C).No. 6192 of 2007(K)

PETITIONER:

K.SHYLAJA, AGED 52, W/O. M.GAMALIEL, RESIDING AT " SANTHOSHGEETH", NEIRAMANKUZHI, OOROOTTAMBALAM,P.O. THIRUVANANTHAPURAM AND WORKING AS UNDER SECRETARY, KERALA PUBLIC SERVIC COMMISSION, PATTOM, THIRUVANANTHAPURAM.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS:

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1. THE REGISTRAR OF CO-OPERATIAVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.

2. THE KERALA PUBLIC SERVICE COMMISSION STAFF CO-OPERATIVE CREDIT SOCIETY LTD. NO.T.375, PATTOM,THIRUVANANTHAPURAM REPRESENTED BY ITS SECRETARY.

3. THE SUB TREASURY OFFICER, SUB TREASURY OFFICE, VELLAYAMBALAM, THIRUVANANTHAPURAM.

BY SC SRI.P.C.SASIDHARAN (KPSC)
BY G.P. SMT.T.B.RAMANI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 6192 of 2007

Dated this 23rd day of February, 2007

JUDGMENT

Smt.T.B.Ramani, the learned Government Pleader takes notice on behalf of the first respondent. I do not propose to go into the merits of the matter. But the averments in the writ petition and the documents placed on record will reveal a prima facie case in favour of the petitioner. Under these circumstances, I am of the view that the issue should receive the attention of the first respondent Registrar. Accordingly, the writ petition itself will stand disposed of without go into the merits of the matter issuing the following directions:

The first respondent Registrar will take up Ext.P3, consider the same in the light of the various documents placed on record and the grounds raised in the writ petition, hear the petitioner and the 2nd respondent Society and will take appropriate decision. If the first respondent feels that an investigation is necessary, he will refer Ext.P3 complaint to the Vigilance Officer for necessary investigation and take a final decision only after obtaining report from the Vigilance Officer. Till such time

the first respondent takes a decision on Ext.P3, recovery of the amounts pursuant to Ext.P4 will be kept in abeyance.

PIUS C.KURIAKOSE
Judge

dpk